

- a cutting head for cutting the sealed lay-flat thermoplastic film tube *to make a bag*; and
- a means for dispensing *the bag*.

Lenker et al. take rollstock film and wrap it around a head of lettuce. No "bag" is produced. Therefore, the sealed film cannot be said to make a bag. Likewise, Lenker teaches no means for dispensing a bag. The final result of Lenker et al. is a head of lettuce wrapped in film; the final result of the present invention is a bag suitable for subsequent filling with a meat product or the like.

Ginestra et al. shows a means for wrapping boxes with paper. No bag is produced.

Independent claim 33 defines a method for providing bags for packaging product of varying size. The method includes the steps of selecting a first or second lay-flat thermoplastic film tube from a first or second film roller respectively, the first lay-flat thermoplastic film tube having a width different from the second lay-flat thermoplastic film tube; determining the length of the first or second lay-flat thermoplastic film tube to be advanced; advancing the determined length of the first or second lay-flat thermoplastic film tube; transversely sealing the advanced lay-flat thermoplastic film tube; cutting the sealed film tube to form a bag; and dispensing the bag.

None of Lenker et al., Ginestra et al., or Crowley et al., alone or in combination, discloses these steps. None discloses at least two lay-flat thermoplastic film tubes; none forms a bag; and none dispenses a bag.

In paragraph 2 of the Office Action, claims 22 to 23 were rejected under 35 U.S.C. §103(a) as unpatentable over Lenker et al. (US 4,516,385) in view of Ginestra et al. (US 5,655, 356) as applied to claims 14 to 20, and 23 to 24, and further in view of Crowley et al. (US 5,328,438) . Applicants respectively traverse to the extent this rejection may be applied to the newly added claims, for the reasons discussed above.

Applicants respectfully ask that the newly submitted claims and discussion of the invention be carefully considered, and the claims allowed.

Respectfully submitted,

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